

**NOTICE OF RIGHT TO CONSENT TO
DISPOSITION OF A CIVIL CASE BY A
UNITED STATES MAGISTRATE JUDGE**

Pursuant to Local Rule 73.1 and General Order 04-00016, this notice must be served with the Summons or Waiver of Service of Summons and Complaint on all defendants.

Pursuant to Local Rule 73.1 and General Order 04-00016, our full-time United States Magistrate Judge, the Honorable Joaquin V. E. Manibusan, Jr., has been designated to handle all non-dispositive actions in this civil case. All parties may consent in writing to proceed to final determination and disposition before Magistrate Judge Manibusan. In order to do so, all parties must complete the consent form attached hereto (AO 85) thereby consenting to Magistrate Judge Manibusan conducting any and all proceedings in a civil case, including a jury or non-jury trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. After the necessary consent is filed, an appeal from a judgment entered by the Magistrate Judge shall be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of this Court.

Since there is currently no appointed District Court Judge for our District, if no consent form is filed by all parties, this civil case will be assigned to designated visiting district court judges serving our District for final determination and disposition. However, Magistrate Judge Manibusan will continue to handle all non-case dispositive actions associated with this civil case.

Your decision to consent or not to consent to the disposition of your case by Magistrate Judge Manibusan is **entirely voluntary** and should be communicated solely to the Clerk of Court by submitting a joint form of consent signed by all parties. Unless the consent form has been signed by all parties or their respective counsel in a case, the Clerk shall not accept the form for filing. It is requested that parties consent to proceed before the Magistrate Judge at least 10 days prior to the first noticed Scheduling Conference. Please note that if the consent is not submitted at least 30 days prior to the final Pretrial Conference, a District Court Judge must approve the consent before the Magistrate Judge is permitted to proceed. **As set forth in General Order 04-00016, the plaintiff, or the defendant if the plaintiff is appearing pro se, has the responsibility for securing the execution of the consent form by the parties and for filing such form with the Clerk of Court.**

**MARY L.M. MORAN, CLERK OF COURT
DISTRICT COURT OF GUAM**